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ABSTRACT

This paper discusses ways in which international organizations have in the past and can continue in the future to foster social, economic, and cultural rights on a global scale. Involvement of international organizations such as the United Nations in the realm of human rights expanded after the second world war. Examples of contributions to the protection of human rights since the 1940's include drafting the Charter of the United Nations and the Universal Declaration of Human Rights, and creating international organizations such as the United Nations Economic and Social Council, the International Labour Organisation, the Council of Europe, and Commission on Human Rights, the Commission on Status of Women, and the Sub-commission on Prevention of Discrimination and Protection of Minorities. Although each of these organizations and declarations has had at least some positive impact on human rights, there continue to be many human rights violations due to the fact that the principles and covenants are difficult to enforce. To further realize the objective of protecting human rights in all nations, several suggestions are offered. Among these suggestions are giving human rights a prominent place on the agenda of international meetings, improving monitoring and supervising compliance with human rights standards, encouraging national legislative bodies to report on measures of human rights observances, allowing labor and management organizations to comment on the accuracy of government reports, supporting the International Labour Conference's right to review human rights reports, and extending the jurisdiction of the Commission on Human Rights to include private communications concerning human rights. (DB)

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Possible Contributions of International Organizations to Safeguarding Human Rights

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Basic principles of human rights (especially civil and political rights) are rooted in the philosophical traditions which influenced the French and American revolutions and the emergence of democratic trends in European and American governments. However, the universalization and internationalization of these principles, and their expansion into the realms of social, economic and cultural rights, developed since World War II.

International organizations have been at the heart of these developments of the past 36 years. Although the protection of workers' rights by the ILO and the guarantees for certain minorities had been fostered under the aegis of the League of Nations, the Charter of the United Nations is the watershed document which marked the beginning of revolutionary (as compared to previous efforts) expansion of human rights as an appropriate area for international concern. In seven different references to human rights the Charter declares the promotion of human rights to be one of the basic purposes of the United Nations and specifies the responsibilities of major organs for implementing this goal. The General Assembly and the Trusteeship Council are charged with including the promotion of human rights among their obligations, and the Economic and Social Council is given a specific mandate to set up commissions in the area of human rights in addition to such other commissions in economic and social fields as may facilitate its functions.

In 1946 and 1947, the primary commissions, which today are still basic to the human rights program of the United Nations, were created by the Economic and Social Council. These are the Commission on Human Rights, the Commission

on the Status of Women (which for one year was a sub-commission of the Commission on Human Rights) and the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

Declarations and Covenants on Human Rights

The language of the Charter with regard to human rights was so general that it lacked specific definition and content. The first major task of the Commission on Human Rights was to produce a Universal Declaration of Human Rights to provide specific standards for the guidance of the international community. This document represented essential compromises on both substance and semantics among the members of the Commission. In deference to both democratic and Marxist ideals, the Declaration included civil, political, economic, social and cultural rights. Without negative vote, the General Assembly adopted the Declaration on December 10, 1948. However, the representatives of the Soviet bloc members abstained because of narrowness of coverage of economic and social rights, and the South African delegate abstained on the grounds that this area was reserved for domestic jurisdiction.

Although resolutions of the General Assembly are legally non-binding, the Declaration of Human Rights has not been lacking in impact. It has been widely publicized and acts as a common standard of conduct for the protection and expansion of individual rights. The Soviet Union and other East European states, in spite of their 1948 stance on the Declaration, agreed at Helsinki in 1975 that:

> In the field of human rights and fundamental freedoms, the participating States will act in conformity with the purposes and principles of the Charter of the United Nations and with the Universal Declaration of Human Rights. They will also fulfill their obligations as set forth in the international declarations and

agreements in this field, including inter alia the International Convenants on Human Rights, by which they may be bound.[2]

The Declaration has also been cited in court opinions, has been partially incorporated into at least 45 national constitutional documents (including the Soviet and Chinese) has influenced national legislation, has been referred to in international treaties, and is constantly alluded to in United Nations debates and documents. It may be reasonably argued that the Universal Declaration, through this usage and as an explication of Charter purposes and obligations, has progressively attained the status of international law.

Nevertheless, the movement to translate the Declaration into one or more treaties or conventions, binding on the states subscribing thereto, was started immediately after 1948 in the Commission on Human Rights. Many differences arose in the course of years of effort and, after an early decision to produce two Covenants instead of one, the texts of the International Covenant on Civil and Political Rights (53 articles) with its Optional Protocol (14 articles) and the International Covenant on Economic, Social and Cultural Rights (31 articles) were finally ready for General Assembly unanimous approval in December, 1966. Each Covenant required 35 ratifications and the Optional Protocol required 10 in order to enter into force. Ratifications were, at first, slow in coming and both Covenants were delayed in taking effect until early 1976. By May, 1980 more than 60 states had subscribed to each of the Covenants and 23 had adopted the Optional Protocol.

The general covenants on human rights have been supplemented by numerous more specialized treaties on diverse aspects of rights. Some of the subjects include the rights of women, slavery and forced labor, the status of refugees, apartheid, discrimination in employment, and discrimination in education. One

of the earliest, best known, and most widely adopted treaties is the Convention on the Prevention and Punishment of the Crime of Genocide (1951). Among the other extensively accepted treaties are the Convention on the Political Rights of Women (1954) and the Convention on the Status of Refugees (1954). Most unique is the Convention on the Elimination of All Forms of Racial Discrimination (1969) which by early 1980 had been subscribed to by 107 states. This Convention provides for implementation through a special committee of experts to receive reports. An optional clause also provides for the submission of petitions from individuals or groups, but requires that 10 states, including the state concerned, must accept this jurisdiction before this provision becomes effective. To date, this requirement has not been met.

The Special Role of the International Labour Organization

The major pioneering role for the safeguarding of human rights by an international organization has been played by the International Labour Organization. Although it works in the limited but significant area of workers' rights, the ILO lost no time after its establishment in 1919 in gradually building a body of law known as the International Labour Code through the development of Conventions and Recommendations to be adopted by member states. This effort is continuing today and is composed in 1980 of 157 Conventions and 171 Recommendations. In recent plans formulated by the ILO, 43 possible new subjects are projected for consideration.[3] The number of new ratifications of conventions by governments usually exceeds 150 per year and now total close to 5000.

The subjects covered by the Code are diverse making the Code a comprehensive charter of workers' rights. Most fundamental is the right to organize and

bargain collectively recognized in several Conventions. Other subjects forbid slavery or forced labor, or regulate hours of work, wages, unemployment, workers' compensation, insurance benefits, and safety. Many parts of the Code give protection to special categories of workers, especially women, young people, miners and seamen.

Member states of the ILO are required through their governments to call each newly developed instrument to the attention of their respective legislative bodies, and, once ratified, to report periodically on compliance. A review procedure for these reports is a part of the monitoring and implementation process of the ILO, which is generally credited with having the most effective review methods among the global organizations. These methods of implementation and supervision are analyzed in a subsequent section of this paper.

Since many of the ILO Conventions and Recommendations are elaborations of portions of the International Covenant on Economic, Social and Cultural Rights,[4] the United Nations has recognized the contribution which the ILO can make in checking on compliance with those provisions dealing with the Covenant. An agreement has been worked out by which the ILO's Committee of Experts on the Application of Conventions and Recommendations will review the appropriate portions of the government reports and submit their analysis and recommendations to the Economic and Social Council of the United Nations. This provides a method of collaboration between the two organizations and takes advantage of the accumulated experience of the ILO in this type of activity. The International Covenant did not come into force until 1976, but in 1978 the ILO's Committee of Experts presented its first report.[5]

Another device of the ILO for encouraging adherence to the standards of the International Labour Code is to seek changes in national legislation to bring it into harmony with the Code. The ILO's Committee of Experts, referred to in the preceding paragraph, attempts to influence governments to make such changes. The substantial success of this method is illustrated by the fact that during 1978, changes in law and practice in 56 instances by 40 states were reported by the Committee.[6]

Regional Contributions to Protecting Human Rights

The most highly developed regional system for the protection of human rights is the European system under the aegis of the Council of Europe. A European Convention for the Protection of Human Rights and Fundamental Freedoms was concluded in 1950. It specifies a standard list of civil and political rights which the subscribing states undertake to guarantee within their borders. A Commission and Court of Human Rights are established to assist the Committee of Foreign Ministers in the protection of human rights within the member states. States may bring claims of violations to the Commission or, in the 13 states subscribing to an optional procedure, individuals may file petitions. Individuals must have exhausted available local remedies in order to have their petitions accepted and most such applications are rejected.[7]

The Commission of Human Rights receives complaints of violations, decides which ones are admissible, and tries to reach a settlement among the parties involved. If no settlement can be negotiated, the Commission issues a report to the Committee of Foreign Ministers and to the states concerned. The Committee of Ministers must decide whether to refer the case to the Court of Human Rights or to make its own decision. In either situation, the decision is

considered to be binding. Most complaints are disposed of by the Commission, but the Ministers and Court have played a significant role in a substantial number of key issues. One important complaint was lodged in 1967 by four member states, charging the Greek military government with numerous violations of the European Convention. When the Committee of Foreign Ministers decided that the charges were true and that Greece should be expelled from the Council, the Greek junta denounced the Convention and resigned from the organization. In 1974, the new regime in Greece again ratified the Convention and Greece was readmitted to the Council.

Under the Council of Europe's system, economic, social and cultural rights are promoted through the European Social Charter adopted in 1961. As is true of the rights included in the International Covenant on Economic, Social and Cultural Rights, those in the European Social Charter are not absolute but are goals for progressive implementation. Therefore, the supervisory techniques are modeled on those developed by the ILO in which reports of compliance are submitted by governments, examined together with comments from trade unions and employers associations by a committee of experts, which reports in turn to the European Consultative Assembly. The discussions may lead to recommendations of the Committee of Ministers directed to member governments. At any rate, public scrutiny is assured and has led to a substantial number of changes in national social policy.

Another aspect of human rights emphasis in Europe has resulted from the Helsinki Accords of 1975 which was the final act of the Conference on Security and Co-operation in Europe. Although this agreement is not a treaty and lacks any adequate enforcing machinery, it includes, among the principles guiding

relations between participating states, respect for human rights and fundamental freedoms including freedom of thought, conscience, religion or belief. This principle is elaborated in some detail and refers to the commitment of states to fulfill their obligations under the UN Charter, the Declaration of Human Rights, the International Covenants on Human Rights, and other international declarations and agreements.

The government of the Soviet Union vigorously advocated the holding of the Conference on Security and Cooperation in Europe. Western countries insisted on the inclusion of human rights provisions among the principles of the final act of the conference. All the Eastern Bloc countries have also ratified the International Covenants on Human Rights. Therefore, as a part of the Helsinki Accords, these countries have agreed to uphold their obligations under these Covenants as well as in other international documents. Dissidents in the Soviet Union used these commitments as a basis of their insistence on increased freedom, and organized a committee to monitor compliance. The chairman of the committee and other dissidents have been arrested and imprisoned or exiled. Exiles have stated that the Soviet Union is continuing to violate the human rights provisions of the Helsinki accords. Dissidents within the country continue their demands for greater freedom. In Czechoslovakia, a similar movement resulted in the issuance of the Charter 77 Manifesto signed by 257 Czechoslovakian citizens, which detailed the kinds of violations of the Covenants and the Accords by Czechoslovakian authorities and stated that to a great extent, "basic human rights in our country exist, regrettably, on paper alone."[8]

Western attempts to monitor Eastern bloc compliance with their human rights commitments under the Accords could be, in part, exercised at the

periodic review conferences provided as a follow-up to the Accords. The first of these in Belgrade in 1977-78 was more noted for its discord than harmony. Before the second conference in Madrid in 1980, the Soviet Union attempted unsuccessfully to keep human rights off the agenda but in that atmosphere no progress could be expected.

The Organization of American States in 1948 adopted an American Declaration on the Rights and Duties of Man. In 1959, decisions were made to establish immediately an Inter-American Committee on Human Rights and to begin drafting an American Convention on Human Rights. The Inter-American Committee has been effective both in investigations of human rights conditions in several countries and in protecting human rights in such cases as the Dominican crisis of 1965. The American Convention came into force among 11 ratifying states in 1978 and provides somewhat similar implementing machinery to that of the Council of Europe, but is too limited in membership and duration to allow judgment of its effectiveness.

Proposals have been made for the establishment of regional human rights systems in Africa and in Southeast Asia. Although progress is slow, initial steps have been taken recently by the Organization of African Unity toward the creation of agreements and agencies on that continent.

The Role of International Non-Governmental Organizations in Safeguarding Human Rights

Anyone who observes the sessions of the United Nations Commission on Human Rights soon becomes aware of the participation of several INGOs in the proceedings of that body. Not only are representatives of these private organizations in regular attendance as observers at the Commission sessions, but

they also frequently invoke their privilege of addressing the sessions on such subjects as apartheid in South Africa, violations of human rights in Israeli occupied territories, the use of torture in several countries, or the problem of missing persons in Latin American states.[9]

One of the most respected organizations among the promoters of human rights, and one of the most vilified among the regimes accused of gross violations of rights is Amnesty International. This organization established in London in 1961 concentrates its energies upon securing the release of political prisoners and upon the eradication of torture. With more than 100,000 members the methods used include adoption by the organization of identified prisoners, letter writing to governments to pressure for their release, careful investigations (on the spot if possible), and publicity concerning those who are still detained in violation of established human rights standards. On February 22, 1980, a representative of Amnesty International made an extensive statement on missing and disappeared persons at a session of the UN Commission on Human Rights. After the spokesman reported information on hundreds of such persons in Argentina, the Argentinian and Ethiopian representatives objected with the Ethiopian delegate charging that all Amnesty International statements are false. In a subsequent right of reply statement the Argentinian delegate branded the Amnesty International report as "false and irresponsible." It was obvious to those acquainted with the available evidence that sensitive nerves had been struck.

In two days of debate on the subject of disappeared persons, the members of the Commission on Human Rights in their 1980 session also heard statements from representatives of the International Commission of Jurists, the International League for Human Rights, the World Council of Churches, and the

International Federation for Human Rights. On the following day on the subject of Human Rights in Chile, statements were presented on behalf of the International Commission of Jurists and the International Confederation of Free Trade Unions. This parade of INGO spokespersons is an excellent cross-section of leading private agencies engaged in exposing gross violations of the most fundamental personal rights and in pressuring for effective national and international action to guarantee observance of those rights.

The International Commission of Jurists established in 1952 and with headquarters in Geneva is composed of 40 eminent jurists and organizes missions and investigations for the purpose of the global advancement of the rule of law. The International League for Human Rights with headquarters in New York concentrates on such matters as strengthening the applications of the Universal Declaration and the Covenants on Human Rights and on the denial of rights in the Soviet Union and South Africa. The former President of this organization, Jerome Shestack, served as head of the U.S. delegation to the 1980 session of the UN Commission on Human Rights. The International Federation for Human Rights with headquarters in Paris also promotes the strengthening of rights under the International Covenants, especially social, economic and cultural rights. The World Council of Churches with headquarters in Geneva has gradually increased its emphasis on human rights and has taken a special interest in the problem of repressive governments in the third world.[10] The International Confederation of Free Trade Unions (ICFTU) is the largest and most effective of the international labor associations and uses its influence both in the United Nations and the ILO to promote the right to organize and to freedom of association as well as an extensive range of goals relating to the welfare of workers. A. H. Robertson gives special credit to the International Institute of Human Rights

for its promotion of rights through publications, seminars and conferences. The International Committee of the Red Cross should also be added to the list of notable INGOs for its work on behalf of prisoners of war and political prisoners. This committee, in contrast to many other organizations in the field, avoids public confrontation and uses the method of quiet negotiation and private reports.

Without further elaboration, it becomes apparent that a substantial international public has been mobilized to devote its energies to the cause of human rights. Many other special interest organizations could be listed. Collaboration among these groups to increase their effectiveness is practiced on a regular basis. The private agencies act as one of the main sources of information on violations of human rights in many parts of the globe.

Monitoring and Supervising Compliance with Human Rights Standards

The international community and regional organizations are ill-equipped to enforce uniform standards of human rights on individual states. The INGOs discussed in the previous section of this paper perform valuable monitoring functions but can only hope, through persuasion and publicity, to pressure repressive governments to cease their violations of human rights, or to respond to the efforts of intergovernmental organizations to promote individual rights. However, the campaign for a more prominent human rights agenda has been accompanied by a search for more effective means of supervising human rights performance within states. Some of the methods of implementation through the United Nations and the ILO are briefly outlined below. The previous discussion of the Council of Europe's implementation procedures is sufficient for a general understanding of the processes used. It should be noted that for the

most part, the methods of pressuring governments to comply with international human rights norms fall short of compulsion, and seldom involve internationally imposed sanctions beyond the pressure of public opinion and persuasion.

Some experts judge that the ILO, through long experience, has developed, within its special field of competence, a fairly satisfactory system for effective supervision of compliance with the International Labour Code.[11] The system provides methods of exerting pressures on governments without violating the sovereign prerogatives of states. The fact that employers' organizations and labor unions are represented in the organs of the ILO facilitates the possibilities for checking on government performance.

It was noted in a previous section of this paper that the first step in government compliance with Conventions and Recommendations of the ILO is the duty to call them to the attention of their legislative bodies and, once ratified, to report periodically on measures of observance. Conventions are binding but Recommendations are not. Workers' and employers' organizations may submit comments on the accuracy of the government reports. All such reports and commentaries are reviewed by a Committee of Experts on the Application of Conventions and Recommendations. The reports of the Committee of Experts, which may include references to changes made by governments in response to previous Committee recommendations, analyze the extent of government compliance with the Conventions. The Committee of Experts forwards all documents together with its commentary to the International Labour Conference. The Conference sets up a tripartite Committee of government, worker and employer representatives to review all the information forwarded by the Committee of Experts. In public meetings, the Conference Committee reviews the documents and may hear

government representatives' responses to criticisms of their performance. The Conference Committee, in turn, issues a public document reporting its findings to the Conference. This procedure under public scrutiny has resulted in hundreds of changes in national law and procedure to achieve greater conformity with adopted Conventions and Recommendations.

Other avenues are available in the ILO for handling special complaints of non-observance of Conventions or of general violations of the right of freedom of association, which is basic to ILO principles. Any state party to a specific Convention or any delegate may lodge a complaint against a government charging non-compliance with that Convention. The Board of Governors of the ILO receives the complaint and may appoint a three-member commission of inquiry which follows quasi-judicial processes in hearing oral testimony from parties and witnesses and in examining written evidence. A government may appeal the report of the Commission of Inquiry to the International Court of Justice, but none has ever done so. Under the principle of freedom of association, the Governing Body may carry out investigations concerning any member's interference with this basic right without regard to any specific Convention or Recommendation. Through its Committee on Freedom of Association, it has dealt with hundreds of such cases. A little-used Fact-Finding and Conciliation Commission on Freedom of Association is also available but the procedure requires the consent of the accused state.

Prior to the entry into force of the International Covenants on Human Rights, the United Nations procedures for supervising compliance with human rights standards and treaties were not satisfactory. Responsibilities were dispersed among the General Assembly and its third committee, the Economic and

Social Council and its Commission on Human Rights, the Commission on the Status of Women, and the Sub-Commission on Prevention of Discrimination and Protection of Minorities. The Convention on the Elimination of All Forms of Racial Discrimination provided for an expert committee to review reports of the more than 100 States Parties to the Convention on the measures adopted for implementation. Until 1970, the Commission on Human Rights refused to consider private communications concerning human rights. In that year, the Economic and Social Council adopted a new but complicated procedure for the examination of these thousands of communications, first by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, which may then refer matters of special importance to the Commission on Human Rights. All procedures of this type are treated as confidential unless and until a report is made to the Economic and Social Council. In 1965, the Economic and Social Council also established a timetable for periodic reports by governments on general compliance with human rights standards to be considered by the Commission on Human Rights. In 1968, the General Assembly created a special committee to investigate Israeli practices affecting human rights in the occupied territories, and this question has been under review ever since by several agencies including the Commission on Human Rights. In 1975, the Commission set up a working group to inquire into the human rights situation in Chile and this question is perennially before the Commission.

The International Covenants on Human Rights, which entered into force in 1976, provide their own means of review of compliance. The Covenant on Economic, Social and Cultural Rights provides standards for "achieving progressively the full realization of the rights recognized in the . . . Covenant."

Reports are submitted periodically to the Secretary-General, who transmits them to the Economic and Social Council with portions to appropriate specialized agencies. ECOSOC may also submit the reports to the Commission on Human Rights together with the reports of the specialized agencies. ECOSOC is the channel for all resulting reports and recommendations and may make general recommendations to the General Assembly.

In the Covenant on Civil and Political Rights, the language emphasizes the rights of the individual which are not to be violated by any subscribing State. A reporting system is provided and a new Committee on Human Rights of 18 experts is created to study the reports, question government representatives and submit its own reports to the Economic and Social Council, the General Assembly, and the states parties to the Covenant. As previously noted, more than 20 states have also adhered to an Optional Protocol allowing the submission to the Committee of communications from individuals who claim to be victims of violations of any rights included in the Covenant. Claims under the Optional Protocol are considered in private sessions of the Committee. The Committee has held regular meetings since 1977.

Evaluation and Conclusions

How does one assess either the state of human rights in the world today or measure the impact of international organizations in the promotion of higher standards of human rights? Laurie Wiseberg and Harry Scoble have pointed out the extreme difficulties of evaluating effectiveness in this field. They suggest that increased activity cannot be equated with influence. Even when positive changes occur, it is nearly impossible, in a multiactor situation, to determine that the activities of international organizations significantly

influenced the change. Another intangible involves not only positive actions by repressive regimes, but evidence of the deterring because of outside pressures, of more violations of human rights standards by those regimes. No empirical evidence exists to suggest which methods of influence yield greatest results in a variety of situations involving different regimes. A final problem suggested by Wiseberg and Scoble is that each organization operates as part of the global system and as activity on behalf of human rights changes so does the system within which the activities operate. These authors conclude that "...it is clear that without empirically based theory to inform us, both scholars and political activists must continue to operate on the basis of ill-formulated hypotheses and intuitive guesses."[13]

Certainly, there are evidences of massive violations of human rights in many parts of the globe. Over the past several years, examples can be found in South Korea, the Philippines, Brazil, Argentina, Chile, El Salvador, Iran, the West Bank of the Jordan River, South Africa, the Soviet Union, Czechoslovakia, Afghanistan, Uganda, Burundi, and a large number of other states. Amnesty International has suggested that torture is used by authorities in at least 60 countries. In South Africa, apartheid is official governmental policy. The United States, which has little to hide, avoids international supervision by refusing to ratify either the major international human rights covenants or more than a handful of ILO conventions. The Commission on Human Rights deals with charges against most regimes in private meetings. The member states of the United Nations save their most vigorous attacks for a few regimes including Israel, South Africa and Chile, but keep largely silent concerning severe violations in numerous other countries. Third World countries tend to stress self-determination and development, not the rights of individuals. Vigorous

leadership for the human rights movement has not been forthcoming from the United States except for the efforts in the 1970s, first from Congress and later by the Carter administration, to use the withdrawal of foreign aid and other influences to discourage flagrant patterns of abuse of basic rights. Setbacks are to be anticipated from the present administration whose spokespersons announce that in the U.S. foreign policy agenda, a concern for terrorism will replace the emphasis on human rights and that the United States can tolerate "moderately repressive regimes."

Yet, without much empirical evidence, and on the basis of general impressions and the "intuitive guesses" referred to by Wiseberg and Scoble, this writer assumes that great gains have been registered in the human rights area in the years since 1945. A network of private agencies devoted to the promotion and protection of human rights has developed and expanded, and the world of scholarship has turned increasing attention to this subject. Witness the number of panels at this conference devoted to human rights. The European system for safeguarding rights is working well and the prospects for other regional systems are brightening. The ILO has strengthened its procedures and its cooperation with United Nations agencies in monitoring workers' rights. The United Nations Commission on Human Rights has been expanded from 32 to 43 members and at its 1980 session debated and acted on (1) violations of human rights in occupied Arab territories, Chile and South Africa, (2) missing persons, (3) self-determination in Afghanistan and Western Sahara, (4) the human rights situation in Kampuchea, Guatemala and Equitorial Guinea, (5) the status of international conventions and covenants, and (6) several other miscellaneous items. A large number of government, specialized agencies and NGO observers were always present at public sessions of the Commission. Recent

gains for human rights have been registered in Poland, Peru, Ghana, Uruguay, Spain, Portugal and Greece.

The most important development is, in this writer's judgment, the fact that human rights have come to the forefront of the international agenda. To refer again to Louis Henkin's idea, human rights have become both universalized and internationalized. No country denies that human rights exist, and a set of common standards for the content of these rights has been established through the UN Charter, the 1948 Declaration, the Covenants, and the specialized conventions. No state suggests that freedom of association and freedom from torture, disappearance, imprisonment without charge, or lack of due process are not fundamental human rights. The Eastern European bloc at Helsinki accepted the Universal Declaration as a commitment and their governments have also ratified the two Covenants on Human Rights. The number of other ratifications is increasing at an encouraging rate. New machinery for review of compliance is in operation. Henkin also suggests that international law is more a matter of observance than of enforcement. "Governments are impelled to observe international law because it is in their interest to do so, from a wish to maintain order, to keep the norms alive, to have the advantages of law they desire, and to avoid the hostile reactions of the victim and other adverse consequences of violations."[14] Violations will never be eliminated but public awareness of rights continues to grow and new means for their fulfillment are gradually developed.

There is a need to expand the capacities and redirect some of the attitudes that operate through international organizations for the improvement of the world climate of human rights. Some relaxing of sovereignty may be in order as in the Council of Europe's system. Special courts could be established and the implementation of the suggestion for a High Commissioner of Human Rights

would potentially sharpen the focus of the United Nations in this field. Most of all, the approach of government representatives and leaders needs to divorce political expediency from a devotion to the objective implementation of all human rights everywhere, so that human rights become a primary concern of policy rather than a selective weapon of propaganda against a few enemy targets. These suggested changes will not come overnight or easily. However, the progress of only 36 years can offer hope for further positive developments.

Notes

1. For a discussion of the concepts of universalization and internationalization of human rights, see Louis Henkin, "The Internationalization of Human Rights," Human Rights: A Symposium (Columbia University, Proceedings of the General Education Seminar, vol. 6, no. 1, 1977) pp. 5-16. In general terms, Henkin says that "universalization" means general acceptance by national governments, and that "internationalization" suggests that treatment of citizens in one country has become the business of other countries.

2. Conference on Security and Co-operation in Europe. Final Act Helsinki, 1975, Part 1. (a) VII

3. ILO Medium Term Plan 1982-87 (International Labor Office, Geneva, February-March, 1980), p. 3/1.

4. Esp. Arts. 6-9 and portions of Arts. 10-13 and 15.

5. James Avery Joyce, World Labour Rights and Their Protection (London, Croom Helm Ltd., 1980), pp. 38-40.

6. Ibid., p. 135.

7. The most important source used for much of the information on the European system was A.H. Robertson, "Human Rights: A Global Assessment," in Donald P. Kommers and Gilbert D. Loescher (eds.), Human Rights and American Foreign Policy (Notre Dame, University of Notre Dame Press, 1979), pp. 13-18. Also Joyce (1980), pp. 42-46.

8. For the text of the Charter 77 Manifesto see Joyce, pp. 160-64.

9. For an excellent analysis of the contributions of both INGOs and national NGOs see Laurie S. Wiseberg and Harry M. Scoble, "Monitoring Human Rights Violations: The Role of Nongovernmental Organizations," in Kommers and Loescher, pp. 179-198. Also see Joyce, pp. 126-129 and passim.

10. Wiseberg and Scoble in Kommers and Loescher, p. 185.

11. For details of ILO procedures and methods see Joyce, pp. 26-41; 59-68.

12. Wiseberg and Scoble in Kommers and Loescher, pp. 194-96.

13. Ibid., p. 198.

14. Louis Henkin, The Rights of Man Today (Westview Press, 1978), p. 101.